

JEFFREY K. BARTON

Clerk to the Board



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OF BOARD OF COUNTY COMMISSIONERS

OF JULY 7, 2009

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JEFFREY K. BARTON

Clerk to the Board



July 7, 2009

**REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS**

The Board of County Commissioners of Indian River County, Florida, met in Regular Session at the County Commission Chambers, 1801 27th Street, Vero Beach, Florida, on Tuesday, July 7, 2009. Present were Chairman Wesley S. Davis, Vice Chairman Joseph E. Flescher, Commissioners Peter D. O'Bryan, Bob Solari, and Gary C. Wheeler. Also present were County Administrator Joseph A. Baird, County Attorney William G. Collins II, and Deputy Clerk Leona Adair Allen.

1. CALL TO ORDER

Chairman Davis called the meeting to order at 9:00 a.m.

2. INVOCATION

Deputy Teddy Floyd, Indian River County Sheriff Office, delivered the Invocation.

3. PLEDGE OF ALLEGIANCE

Vice Chairman Flescher led the Pledge of Allegiance to the Flag.

4. ADDITIONS/DELETIONS TO THE AGENDA/EMERGENCY ITEMS

ADDITION ITEM 14.C. COMMISSIONER WHEELER REQUESTED DISCUSSION AND APPROVAL OF A RESOLUTION TO CULVERT THE SR60 AREA IN FRONT OF TARA PLANTATION, AND INCLUDE IT WITH THE EXISTING PROJECT.

ON MOTION by Commissioner O'Bryan, SECONDED by Commissioner Solari, the Board unanimously approved the above change to the Agenda.

5. PROCLAMATIONS AND PRESENTATIONS

5.A. PRESENTATION OF CERTIFICATE OF RECOGNITION TO CORY RICHTER AS RECIPIENT OF THE STATE EMS INJURY PREVENTION AWARD FOR 2009

Commissioner O'Bryan read and presented the Certificate of Recognition to Cory Richter.

5.B. PRESENTATION OF CERTIFICATE OF RECOGNITION TO PAUL BUTTON AS RECIPIENT OF THE STATE EMS DISPATCHER AWARD FOR 2009

Commissioner O'Bryan read and presented the Certificate of Recognition to Paul Button.

6. APPROVAL OF MINUTES

6.A. REGULAR MEETING OF JUNE 9, 2009

The Chairman asked if there were additions or corrections to the Minutes of the Regular Meeting of June 9, 2009. There were none.

ON MOTION by Commissioner Wheeler, SECONDED by Vice Chairman Flescher, the Board unanimously approved the Minutes of the Regular Meeting of June 9, 2009, as written.

6.B. REGULAR MEETING OF JUNE 16, 2009

The Chairman asked if there were additions or corrections to the Minutes of the Regular Meeting of June 16, 2009. There were none.

ON MOTION by Commissioner Wheeler, SECONDED by Vice Chairman Flescher, the Board unanimously approved the Minutes of the Regular Meeting of June 16, 2009, as written.

7. INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION

7.A. LETTER OF RE-ELECTION OF EMMETT EVANS TO THE BOARD OF SUPERVISORS OF THE ST. JOHNS IMPROVEMENT DISTRICT TO SERVE AN ADDITIONAL THREE YEARS IS ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

7.B. CITY OF SEBASTIAN ORDINANCE 0-08-01 – ANNEXATION OF 17.14 ACRES OF SHADY REST MOBILE HOME PARK; ORDINANCE 0-08-02 – LAND USE; AND ORDINANCE 0-08-03 – ZONING, ARE ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

8. CONSENT AGENDA

8.A. APPROVAL OF WARRANTS AND WIRES – JUNE 12, 2009 THRU JUNE 18, 2009

ON MOTION by Commissioner Wheeler, SECONDED by Vice Chairman Flescher, the Board unanimously approved the list of Warrants and Wires, issued by the Clerk to the Board for the time period of June 12, 2009 to June 18, 2009, as requested in the memorandum of June 18, 2009.

8.B. APPROVAL OF WARRANTS AND WIRES – JUNE 19, 2009 THRU JUNE 25, 2009

ON MOTION by Commissioner Wheeler, SECONDED by Vice Chairman Flescher, the Board unanimously approved the list of Warrants and Wires, issued by the Clerk to the Board for the time period of June 19, 2009 to June 25, 2009, as requested in the memorandum of June 25, 2009.

8.C. TEMPORARY RENT RELIEF FOR ROSEMARY'S CAFÉ

ON MOTION by Commissioner Wheeler, SECONDED by Vice Chairman Flescher, the Board unanimously approved a temporary relief period of three (3) months of rent forgiveness commencing July 1, 2009 and ending

October 1, 2009, as recommended in the memorandum of June 29, 2009.

8.D. FEDERAL FISCAL YEAR 2009 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM CERTIFICATE OF PARTICIPATION

ON MOTION by Commissioner Wheeler, SECONDED by Vice Chairman Flescher, the Board unanimously: (1) accepted the invitation to serve as the coordinating unit of government in the Florida Department of Law Enforcement (FDLE) Edward Byrne Memorial Justice Assistance Grant (JAG) Program; (2) authorized the Board Chairman to execute the Certificate of Participation naming Jason E. Brown, Director, Management & Budget, as the contact person; (3) accepted the total amount of the Grant, which is \$129,896; and (4) directed the Substance Abuse Council Advisory Board to recommend a distribution of these funds among local applicants, as recommended in the memorandum of June 30, 2009.

LETTER OF ACCEPTANCE ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

8.E. AMENDMENT NO. 1 TO WORK ORDER NO. 6 (ENGINEERING) WITH ARDAMAN & ASSOCIATES, INC. PROVIDING PROFESSIONAL GEOTECHNICAL SERVICES FOR 12TH STREET SIDEWALK PROJECT, FROM 43RD AVENUE TO 27TH AVENUE, IRC PROJECT #0604

ON MOTION by Commissioner Wheeler, SECONDED by Vice Chairman Flescher, the Board unanimously approved Amendment No. 1 to Work Order No. 6, with

Ardaman & Associates, Inc., authorizing the additional testing for the project, and authorized the Chairman to execute same for a not-to-exceed amount of \$827.00, as recommended in the memorandum of June 19, 2009.

AMENDMENT ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

8.F. CR 512, PHASE III, CR 510 – PROJECT #9611 & 0001, GEOTECHNICAL SERVICES WORK ORDER #2, DUNKELBERGER ENGINEERING & TESTING, INC.

ON MOTION by Commissioner Wheeler, SECONDED by Vice Chairman Flescher, the Board unanimously approved release of retainage to Dunkelberger Engineering and Testing, Inc., in the amount of \$2,743.50, as recommended in the memorandum of June 25, 2009.

8.G. AWARD OF BID # 2009037, ROADWAY IMPROVEMENTS TO 16TH STREET FROM 74TH AVENUE TO 66TH AVENUE, AND 66TH AVENUE FROM 16TH STREET TO S.R. 60, IRC PROJECT NOS. 9920, 9810-A AND 0545

ON MOTION by Commissioner Wheeler, SECONDED by Vice Chairman Flescher, the Board unanimously approved the contract award to J.W. Cheatham, LLC in the amount of \$3,994,363.84, as recommended in the memorandum of June 18, 2009.

8.H. CONSIDERATION OF NEWLY CREATED FLORIDA HOUSING OPPORTUNITY PROGRAM STRATEGY FOR INCLUSION INTO THE INDIAN RIVER COUNTY LOCAL HOUSING ASSISTANCE PLAN

ON MOTION by Commissioner Wheeler, SECONDED by Vice Chairman Flescher, the Board unanimously approved **Resolution 2009-094**, approving a revision to the County's local Housing Assistance Plan for FY 2009-2010, 2010-2011, and 2011-2012 to add a Florida Housing Opportunity Program Strategy.

8.I. TRAFFIC CONTROL DEVICE LEDGER

ON MOTION by Commissioner Wheeler, SECONDED by Vice Chairman Flescher, the Board unanimously approved **Resolution 2009-095**, approving traffic control devices authorized by the Director of Public Works.

8.J. AMENDED RESOLUTIONS OF NECESSITY FOR 66TH AVENUE PARCELS

ON MOTION by Commissioner Wheeler, SECONDED by Vice Chairman Flescher, the Board unanimously approved an amended **Resolution 2009-096**, declaring a reasonable necessity to acquire certain real property for the purposes of improving and reconstructing 66th Avenue, including side street, intersection, sidewalk and water retention pond improvements; authorizing the County Attorney to acquire the attached properties by the

institution of proceedings in eminent domain, and providing an effective date. (*Parcel 107C – Charlene Brown*)

ON MOTION by Commissioner Wheeler, SECONDED by Vice Chairman Flescher, the Board unanimously approved an amended **Resolution 2009-097**, declaring a reasonable necessity to acquire certain real property for the purposes of improving and reconstructing 66th Avenue, including side street, intersection, sidewalk and water retention pond improvements; authorizing the County Attorney to acquire the attached properties by the institution of proceedings in eminent domain, and providing an effective date. (*Parcel 108 – William Bethel and Sheila Votzi*)

ON MOTION by Commissioner Wheeler, SECONDED by Vice Chairman Flescher, the Board unanimously approved an amended **Resolution 2009-098**, declaring a reasonable necessity to acquire certain real property for the purposes of improving and reconstructing 66th Avenue, including side street, intersection, sidewalk and water retention pond improvements; authorizing the County Attorney to acquire the attached properties by the institution of proceedings in eminent domain, and

providing an effective date. (*Parcel 109 – William H. and Ruth M. Stanbridge*)

ON MOTION by Commissioner Wheeler, SECONDED by Vice Chairman Flescher, the Board unanimously approved an amended **Resolution 2009-099**, declaring a reasonable necessity to acquire certain real property for the purposes of improving and reconstructing 66th Avenue, including side street, intersection, sidewalk and water retention pond improvements; authorizing the County Attorney to acquire the attached properties by the institution of proceedings in eminent domain, and providing an effective date. (*Parcel 110 – William H. and Ruth M. Stanbridge*)

ON MOTION by Commissioner Wheeler, SECONDED by Vice Chairman Flescher, the Board unanimously approved an amended **Resolution 2009-100**, declaring a reasonable necessity to acquire certain real property for the purposes of improving and reconstructing 66th Avenue, including side street, intersection, sidewalk and water retention pond improvements; authorizing the County Attorney to acquire the attached properties by the institution of proceedings in eminent domain, and providing an effective date. (*Parcel 112 – Lawrence J. Brown and Phyllis J. Brown*)

ON MOTION by Commissioner Wheeler, SECONDED by Vice Chairman Flescher, the Board unanimously approved an amended **Resolution 2009-101**, declaring a reasonable necessity to acquire certain real property for the purposes of improving and reconstructing 66th Avenue, including side street, intersection, sidewalk and water retention pond improvements; authorizing the County Attorney to acquire the attached properties by the institution of proceedings in eminent domain, and providing an effective date. (*Parcel 122 – Stanley Jr. and Hilda C. Harbourt*)

ON MOTION by Commissioner Wheeler, SECONDED by Vice Chairman Flescher, the Board unanimously approved an amended **Resolution 2009-102**, declaring a reasonable necessity to acquire certain real property for the purposes of improving and reconstructing 66th Avenue, including side street, intersection, sidewalk and water retention pond improvements; authorizing the County Attorney to acquire the attached properties by the institution of proceedings in eminent domain, and providing an effective date. (*Parcel 102 – Steven, William and Evan Abazis*)

ON MOTION by Commissioner Wheeler, SECONDED by Vice Chairman Flescher, the Board unanimously approved an amended **Resolution 2009-103**, declaring a reasonable necessity to acquire certain real property for the purposes of improving and reconstructing 66th Avenue, including side street, intersection, sidewalk and water retention pond improvements; authorizing the County Attorney to acquire the attached properties by the institution of proceedings in eminent domain, and providing an effective date. (*Parcel 401 - Steven, William and Evan Abazis*)

8.K. STORM GROVE MIDDLE SCHOOL (FORMERLY KNOWN AS “MIDDLE SCHOOL BB”) 6400 57TH STREET, VERO BEACH, FL 32967 ROADWAY IMPROVEMENTS ON 57TH STREET BETWEEN 66TH AVENUE AND 58TH AVENUE UPDATE TO INTERLOCAL AGREEMENT BETWEEN INDIAN RIVER COUNTY AND THE SCHOOL BOARD OF INDIAN RIVER COUNTY

ON MOTION by Commissioner Wheeler, SECONDED by Vice Chairman Flescher, the Board unanimously approved Alternative No. 1, the amended County cost share of the December 2008 Interlocal Agreement with the School Board, covering roadway improvements to 57th Street, 66th Avenue, and 58th Avenue, from \$1.25 million down to \$788,170.76, as recommended in the memorandum of June 30, 2009.

9. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL AGENCIES

9.A. DERYL LOAR, INDIAN RIVER COUNTY SHERIFF - FISCAL YEAR (FY) 2010

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)

FORMULA PROGRAM: LOCAL SOLICITATION

ON MOTION by Commissioner Wheeler, SECONDED by Vice Chairman Flescher, the Board unanimously approved that Edward Byrne Memorial Justice Assistance Grant (JAG) Grant Funds, with no match required, in the amount of \$32,294.00 be used to purchase needed upgrades to GIS Software and Crime Analyst Software, along with crime mapping hosting fees for three (3) years, as requested in the letter dated June 18, 2009.

9.B. DERYL LOAR, INDIAN RIVER COUNTY SHERIFF - FORFEITURE TRUST

FUND

ON MOTION by Vice Chairman Flescher, SECONDED by Commissioner Wheeler, the Board unanimously approved that Law Enforcement Trust Funds in the amount of \$14,000.00 be used to support programs and agencies as designated: (1) \$2,000 to be donated to the 2-1-1 Palm Beach/Treasure Coast agency; (2) \$2,500 to be used to support Crime Stoppers of the Treasure Coast; (3) \$2,500 to the Substance Abuse Council; (4) \$5,000 to be used in our Problem Oriented Policing program; (5) \$1,000 to A Child is Missing; and (6) \$1,000 to support the annual Florida Missing Children's Day ceremony; as requested in the Sheriff's letter dated June 30, 2009.

10. PUBLIC ITEMS

10.A. PUBLIC HEARING

10.A.1. PUBLIC HEARING TO AMEND SECTIONS 305.13 AND 305.14 OF THE CODE

(LEGISLATIVE)

PROOF OF PUBLICATION OF ADVERTISEMENT FOR HEARING IS ON FILE IN THE
OFFICE OF THE CLERK TO THE BOARD

Senior Assistant County Attorney Marian Fell recapped her memorandum dated June 23, 2009, requesting amendment of an existing surcharge from \$15.00 to \$30.00, applicable to non-criminal traffic offenses; and certain criminal traffic offenses. She indicated that the existing surcharge had been in effect since 2004, and now the Legislature is allowing an increase.

The Chairman opened the public hearing. There were no speakers and the Chairman closed the public hearing.

MOTION WAS MADE by Commissioner Wheeler,
SECONDED by Chairman Davis, to deny staff's
recommendation, by not increasing the fee.

Commissioner Wheeler felt that due to the current economic conditions there were other revenue creating sources, and that there were other ways to cut back, not through the taxpayers.

The Chairman CALLED THE QUESTION and the
Motion carried unanimously.

10.B. PUBLIC DISCUSSION ITEMS

10.B.1. REQUEST TO SPEAK FROM CYRIL KNOWLES REGARDING BUDGET 2010

Cyril Knowles, 7855 91st Avenue, Vero Beach, questioned the necessity of the Sheriff's office maintaining two Administrative Lieutenant positions, two Administrative Sergeant positions, and permitting take-home cars. He believed the Sheriff's office should cut back on personnel and that the 2010 Budget should meet or fall below their 2009 Budget.

Chairman Davis invited and encouraged Mr. Knowles to attend the 2009/2010 Budget Workshops scheduled for July 23rd and 24th.

Commissioner Wheeler suggested Mr. Knowles meet with the Sheriff before the Workshops to discuss their budget and the additional personnel.

10.B.2. REQUEST TO SPEAK FROM JOE PALADIN, ATLANTIC COAST

**CONSTRUCTION, REGARDING RETURN OF CASH BOND FOR SIDEWALK IN
AREA NOT BEING BUILT**

Joseph Paladin, President of Atlantic Coast Construction and Development, Inc., and President of Black Swan Consulting, gave an overview of the events that took place as he read the correspondence pertaining to sidewalk deferral in the Paladin Place II Subdivision (see Backup pages 208-255). He also read and spoke about a portion of Ordinance 2009-002, Section 913.09(5)(b)2c,ii.,B., which defines the area of the subdivision where sidewalk construction and security postings are to be deferred, and requested the Board release his cash bond for the sidewalks which are not being built.

County Attorney William Collins revealed that there was no contractual relationship deferring the sidewalk development from the new owner, 510 Road Investment LLC; however, there had been a contract with Atlantic Coast Construction and Development, Inc. to put in the sidewalks, and it was the only security that the County had.

Discussion ensued regarding the receipt, sufficiency, and intent of what was being examined on the Application for Deferral of Development forms.

After a discussion by the Board as to why this item was brought before the Board under *Public Discussion Items*; whether Angela Kelsey on behalf of 510 Road Investments LLC would sign the Application for Deferral of Development form to defer development; and the elimination of the contract so Mr. Paladin could move forward, Commissioner Solari suggested this item be delayed one week.

Community Development Director Bob Keating and County Administrator Joe Baird explained the permitting process as it applies to townhouse sidewalks, what would be involved when putting in the sidewalk along with the vertical construction, and the objective of making a continuous sidewalk.

Mr. Paladin told the Board that his company had put up 125% cash toward the estimated cost of the sidewalk project, and that County staff had approved. He felt that if he put the sidewalks in now, they would not hold up under construction, due to trucks driving over them.

Commissioner Wheeler believed the County would be covered by both the Permit and Certificate of Occupancy (CO) processes.

MOTION WAS MADE by Commissioner Wheeler, SECONDED by Chairman Davis, to return the funds to Mr. Paladin.

Commissioner Solari agreed to the substance, but not the process. He wanted to table this for one week to allow staff to have their say, and the County Attorney to get comfortable with this, but more importantly, let the public know that the Board is going to make a decision on it.

Commissioner Wheeler AMENDED HIS MOTION, to table this item for one week. There was no SECOND. MOTION died for lack of a SECOND.

The Chairman CALLED THE QUESTION and by a vote of 4-1 (Commissioner Solari opposed), the Motion carried. The Board approved Mr. Paladin's request (regarding Paladin Place II Subdivision) to release his funds pursuant to Ordinance 2009-002.

Commissioner O'Bryan reiterated Commissioner Solari's concern as to why this Item was brought up under *Public Discussion Items*, since the *Request to be Scheduled for Public Discussion* form states, "*The Commission does not vote on matters brought up under Public Discussion.*" He pointed out that either the form or the policy needs to be changed.

10.B.3. REQUEST TO SPEAK FROM SPENCER SIMMONS REGARDING UTILITY

USAGE FEE

Spencer Simmons, Simmons Construction and Development, 118 43rd Avenue, representing himself and Meadows County Square, discussed a project where his company had installed a 4" main and tap under the road to tie into the force main for their small lift station. He said Mr. Meeks, the owner to the north, was planning to tap into his lines and he felt that he should pay his half of the expense. He questioned why the County Attorney's Office would not allow this item to be presented to the Board nor allow this to move forward.

Utilities Director Erik Olson conveyed that it was not unusual for a Developer to lay utility lines, and when someone taps in, they pay a portion of the cost. He believed the issue was that this was "after the fact," and that the focus of the project had been on the impact fee issue. He stated that if the line which was put under the road was of minimal size, that a Developer's Agreement might be required, and that Mr. Meeks would not be happy with joining in on the Agreement. Director Olson said he would have staff review this again to see if this is practical, and if there is a middle ground on the process.

Commissioner Wheeler wanted to know if the County had leverage to ensure Mr. Meeks would pay his portion.

Director Olson said that Mr. Meeks had not yet tied into the line but was preparing to do so. He clarified that the County does have the ability to mandate the project at this time, but is limited to five years, beyond the five years it sunsets; meaning that if Mr. Meeks were to come back in six years, it would be sun-setted and he would not be obligated to tie in and pay his proportionate share. He also expressed that staff's goal is to minimize the bores under the road for the existing service line.

Commissioner Solari asked Director Olson what he thought the estimated cost difference would be between the owner having to punch under the road and tie-in across the street, versus just tying into the tee. Director Olson estimated it would be about \$7,000.00. Commissioner Solari requested this Item be tabled for one week.

Commissioner O'Bryan suggested staff bring this back to the Board next week, wanting assurance that the new owner (Mr. Meeks) would not hook up before this returns to the Board.

Administrator Baird asked that the Board give staff two weeks before bringing this back to the Board.

Director Olson said he would consult with the Attorney's Office to ensure he has all the facts.

ON MOTION by Commissioner Solari, SECONDED by Commissioner O'Bryan, the Board unanimously approved to Table this item for two weeks, and for staff to bring back to the Board under Utilities.

10.C. PUBLIC NOTICE ITEMS

**10.C.1. NOTICE OF SCHEDULED PUBLIC HEARING JULY 14, 2009: TO AMEND
THE PURCHASING ORDINANCE TO PROVIDE FOR LOCAL PREFERENCE
POLICY FOR LOCAL BUSINESSES; MEMORANDUM ON LOCAL VERSUS NON-
LOCAL BID AWARD COMPARISON (LEGISLATIVE)**

Attorney Collins read the Notice into the record.

11. COUNTY ADMINISTRATOR MATTERS - NONE

12. DEPARTMENTAL MATTERS

12.A. COMMUNITY DEVELOPMENT

12.A. 1. APPROVAL OF BID AWARD FOR REHABILITATION OF FIVE HOMES

APPROVED UNDER THE HURRICANE WILMA COMMUNITY DEVELOPMENT

BLOCK GRANT DISASTER RECOVERY INITIATIVE GROUP TWO

Community Development Director Bob Keating indicated that this Item was a simple bid award that would have been on the *Consent Agenda*, but he needed an acknowledgment that there was no conflict of interest. There was none.

ON MOTION by Commissioner Solari, SECONDED by Vice Chairman Flescher, the Board unanimously approved the contractor and total bid awards as follows:

(1) Brown, Bessie (3970 45th Place) to McAlhany Construction Company, Vero Beach, FL for the total amount of \$2,496.00;

(2) Everest, Regina (6035 6th Place) to McAlhany Construction Company, Vero Beach, FL for the total amount of \$3,222.00;

(3) Williams, Cecile (2302 11th Court S.W.) to McAlhany Construction Company, Vero Beach, FL for the total amount of \$10,722.00;

(4) Granito, Laura (1815 50th Avenue) to McAlhany Construction Company, Vero Beach, FL for the total amount of \$2,574.00;

(5) Dunn, Robert (1337 12th Avenue) to McAlhany Construction Company, Vero Beach, FL for the total amount of \$2,382.00, all as recommended in the memorandum of June 12, 2009.

12.B. EMERGENCY SERVICES - NONE

12.C. GENERAL SERVICES - NONE

12.D. HUMAN RESOURCES - NONE

12.E. HUMAN SERVICES - NONE

12.F. LEISURE SERVICES - NONE

12.G. OFFICE OF MANAGEMENT AND BUDGET - NONE

12.H. RECREATION - NONE

12.I. PUBLIC WORKS - NONE

12.J. UTILITIES SERVICES

**12.J.1. AMENDMENT NO. 5 TO WORK ORDER NO. 2 TO PBS&J – RE-BID WELL
PIPING AND ADDITIONAL MODELING TASKS ASSOCIATED WITH
CONSUMPTIVE USE PERMIT**

ON MOTION by Vice Chairman Flescher, SECONDED by Chairman Davis, the Board unanimously: (1) approved Amendment No. 5 to Work Order No. 2 with PBS&J; (2) approved additional design fees not to exceed \$30,100.00; and (3) authorized the Chairman to execute same, as recommended in the memorandum of June 22, 2009.

AMENDMENT ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

**12.J.2. REQUEST TO USE THE GENERAL FUND TO COVER LANDFILL DISPOSAL
FEES FOR PACE PROJECTS AND OTHER ILLEGAL DUMPING PROJECTS**

Managing Director of the Solid Waste Disposal District Himanshu Mehta, on behalf of the Utilities Department, acknowledged the wonderful job that the Health Department had been doing in the Community with the PACE (Protocol for Assessing Community Excellence) project. He pointed out that they had identified abandoned homes, were working with the community to clean up the Gifford area, volunteered to demolish abandoned homes, and take the material to the landfill. He said this Item was to approve the request to use the General Fund to cover landfill disposal fees.

ON MOTION by Commissioner Solari, SECONDED by Vice Chairman Flescher, the Board unanimously authorized a Budget Amendment from the General Fund, not to exceed \$8,000.00. The funds will be donated to the 2008/2009 FY PACE cleanup project in the Gifford Community and be used for the sole purpose of paying associated landfill fees, as recommended in the memorandum of June 23, 2009.

12.J.3. REPAIR TO BAR SCREEN SOUTH COUNTY WASTEWATER TREATMENT FACILITY

Commissioner Solari asked Director Olson to address the expected life of the repaired unit compared to a new one.

Director Olson expected another ten years of life from the repaired unit, and felt it was more cost effective to have it refurbished for the same time period, as opposed to spending the money for a new one.

ON MOTION by Commissioner O'Bryan, SECONDED by Vice Chairman Flescher, the Board unanimously authorized the Purchasing Department to issue a Purchase Order to FilterONE USA, in the amount of \$44,219.92, as recommended in the memorandum of June 16, 2009.

13. COUNTY ATTORNEY MATTERS - NONE

14. COMMISSIONERS ITEMS

14.A. COMMISSIONER WESLEY S. DAVIS, CHAIRMAN - NONE

**14.B. COMMISSIONER JOSEPH E. FLESCHER, VICE CHAIRMAN -
NONE**

14.C. COMMISSIONER GARY C. WHEELER

**14.C.1. DISCUSSION AND APPROVAL OF A RESOLUTION TO CULVERT THE SR60
AREA IN FRONT OF TARA PLANTATION, AND INCLUDE IT WITH THE
EXISTING PROJECT**

Commissioner Wheeler proposed a Resolution in support of culverting the portion of SR60, in front of Tara Plantation, and anything that could be done to make it become a reality with the Florida Department of Transportation (FDOT).

ON MOTION by Commissioner Wheeler, SECONDED by Chairman Davis, the Board unanimously approved **Resolution 2009-104**, Requesting the installation of a culvert along a section of State Road 60 (SR60) in front of “Tara Plantation” by the Florida Department of Transportation.

14.D. COMMISSIONER PETER D. O'BRYAN - NONE

14.E. COMMISSIONER BOB SOLARI - NONE

15. SPECIAL DISTRICTS AND BOARDS

15.A. EMERGENCY SERVICES DISTRICT - NONE

15.B. SOLID WASTE DISPOSAL DISTRICT - NONE

15.C. ENVIRONMENTAL CONTROL BOARD - NONE

ALL BACKUP DOCUMENTATION, RESOLUTIONS, AND ORDINANCES ARE ON FILE IN THE OFFICE
OF THE CLERK TO THE BOARD AND ARE HEREBY MADE A PART OF THESE MINUTES

16. ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at 10:30 a.m.

ATTEST:

Jeffrey K. Barton, Clerk

Wesley S. Davis, Chairman

Minutes Approved: _____

BCC/LAA/2009Minutes